

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANTHONY R. PUGH,

Plaintiff,

v.

KAREN BRUNSON, ELDON VAIL,
CODY WILSON and MICHAEL
DEFOE,

Defendants.

No. C09-5180 RJB/KLS

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and **ORDER:**

- (1) The Court **ADOPTS** the Report and Recommendation (Dkt. 31).
- (2) Defendants Karen Brunson, Eldon Vail and Cody Wilson's motion for summary judgment (Dkt. 28) is **GRANTED** and Plaintiffs' claims against them are **Dismissed with Prejudice**.
- (3) Defendant Michael Defoe has not been served. As stated in the Magistrate Judge's March 3, 2010, Order Directing Plaintiff to Provide Service Address, the address Plaintiff provided for Mr. Defoe was not correct. Dkt. 24. Despite having been ordered by the Court months ago to do so, Plaintiff has not provided another address for Mr. Defoe. Plaintiff may, on or before **October 8, 2010**, **SHOW CAUSE**, in writing, if any he has, why his claims against Mr. Defoe should not be dismissed without prejudice for failure to prosecute.
- (4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants and to the Hon. Karen L. Strombom.

ROBERT J. BRYAN
United States District Judge